

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ANDRE TOLIVER,

No. C 07-5340 WHA (PR)

Petitioner,

**ORDER OF DISMISSAL**

vs.

THE UNITED STATES,

Respondent.

This case was opened when petitioner filed a document headed "All Wits Act 28 U.S.C. § 1651; 5 U.S.C. § 552 and 28 U.S.C. § 1292." In it petitioner asks for relief of various kinds against the United States, so it appears that petitioner did indeed intend to file a new case. On the day the case was opened the court notified petitioner that he had failed to pay the filing fee or apply for leave to proceed in forma pauperis. A copy of the court's form for applications to proceed in forma pauperis was provided with the notice, along with a return envelope. Petitioner was informed that if he did not either pay the fee or file the application within thirty days the case would be dismissed. No response has been received.

This case is therefore **DISMISSED** without prejudice. The clerk shall close this file.

**IT IS SO ORDERED.**

Dated: December 4, 2007.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE

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